

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Irrigation & C.A.D. Department – Allegation of corruption against Sri S. Nageswara Rao, Assistant Engineer (Retd.), formerly worked in the Office of Irrigation Drainage Sub-Division No.1, Chirala - Trapped on 22.12.2003 - Accused Officer acquitted by the Judgement dated 15.11.2011 of Hon'ble Court of Special Judge for SPE & ACB Cases, Nellore in C.C.No.28/2004 - Further action dropped – Orders issued - Regularization of suspension period from 23.12.2003 F.N. to 09.06.2006 F.N. as 'on Duty' under Rule 54 –B (3) of Fundamental Rules – Orders – Issued.

IRRIGATION AND COMMAND AREA DEVELOPMENT (SER.VI-2) DEPARTMENT

G.O.Rt.No. 350 .

Dated 06.04.2013.
Read the following:-

1. From the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore Camp at Ongole, Automex Message, dated 23.12.2003.
2. Proceedings No.Rc/ENC/S1(3)/38226/2003-2, dated 29.12.2003 of Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.
3. From the Director General, Anti-Corruption Bureau, Hyderabad, Letter No.314/RCT-NPK/2003, dated 28.02.2004.
4. G.O.Ms.No.89, Irrigation & C.A.D. (Ser.VI-2) Department, dated 29.05.2004.
5. Govt. Memo.No.398/Ser.VI-2/2004-4, dated 26.05.2006 of Irrigation & C.A.D. (Ser.VI-2) Department.
6. From the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad, letter No.Rc/ENC/S1(3)/38226/2003, dated 13.03.2007.
7. From the Hon'ble Court of Special Judge for SPE & ACB Cases, Nellore, Judgement dated 15.11.2011 in C.C.No.28/2004.
8. G.O.Rt.No.3, Irrigation & C.A.D. (Ser.VI-2) Department, dated 01.01.2013.
9. From Sri S. Nageswara Rao, Asst. Engineer (Retd.), representation, dated 18.03.2013.

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ORDER:-

In the reference 1st read above, it has been brought to the notice of the Government that Sri T. Prakasa Rao, formerly Deputy Executive Engineer and Sri S. Nageswara Rao, formerly Assistant Engineer, Office of the Irrigation Drainage Sub-Division No.1, Chirala were trapped by the Anti-Corruption Bureau authorities, when they demanded and accepted the bribe amount from the complainant on 22.12.2003 at 19.25 hours.

2. In the reference 2nd read above, the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad has issued orders, by placing Sri S. Nageswara Rao, Assistant Engineer, Drainage Sub-Division No.1, Chirala of Irrigation Circle, Guntur under suspension with effect from 23.12.2003 and he shall continue to be under suspension until the conclusion of the disciplinary proceedings relating to the criminal charges.

3. In the reference 3rd read above, the Director General, Anti-Corruption Bureau, Hyderabad has recommended to prosecute the accused officer Sri S. Nageswara Rao, Assistant Engineer, in a competent court of law under Prevention of Corruption Act, 1988 read with 34 I.P.C.

(P.T.O.)

4. In the reference 4th read above, Government have accorded sanction for prosecuting the accused officer Sri S. Nageswara Rao, Assistant Engineer, Irrigation Drainage Sub-Division No.1, Chirala, Prakasam District, in a competent court of law under Prevention of Corruption Act, 1988 and section 34 of I.P.C. 1860.

5. In the reference 5th read above, the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad was directed to reinstate Sri S.Nageswara Rao, Assistant Engineer (U/s), Drainage Division, Chirala, Prakasam District into service without prejudice to the disciplinary proceedings pending against him as per G.O.Ms.No.86, General Administration (Ser.C) Department, dated 08.03.1994 and post him in a non-focal post.

6. In the reference 6th read above, the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad has reported that Sri S. Nageswara Rao, Asst. Engineer was posted to Drainage Division Office, Chirala vide his office Proc. No.RC/ENC/S1(3)/38226/2003, dated 06.06.2006 and he joined duty on 09.06.2006 F.N. in non-focal point.

7. In the reference 7th read above, the Hon'ble Court of Special Judge for SPE & ACB Cases, Nellore in its Judgement dated 15.11.2011 in C.C.No.28/2004 has held that the Accused-1 (Sri T. Prakasa Rao, Deputy Executive Engineer) and Accused-2 (Sri S. Nageswara Rao, Assistant Engineer) were found not guilty of a charge under Section 7 of Prevention of Corruption Act, 1988 and they were further found not guilty of a charge under Section 13(2) read with 13(1)(d) of Prevention of Corruption Act. Accordingly, they were acquitted under Section 248(1) Cr.P.C.

8. In the reference 8th read above, orders were issued, by dropping further action against Sri S.Nageswara Rao, Asst. Engineer (Retd.), formerly worked in the Office of Irrigation Drainage Sub-Division No.1, Chirala, Prakasam District, as he was found not guilty of the charges and accordingly, he was acquitted by the Orders of Hon'ble Court of Special Judge for SPE & ACB Cases, Nellore dated 15.11.2011 in C.C.No.28/2004.

9. In the reference 9th read above, Sri S. Nageswara Rao, Asst. Engineer (Retd.) has requested to regularize his suspension period from 23.12.2003 to 09.06.2006 F.N., as duty period and to release his pensionary benefits at an early date, as he is facing lot of domestic problems.

10. After careful examination of the matter, it has been decided to regularize the suspension period from 23.12.2003 F.N. to 09.06.2006 F.N. of Sri S. Nageswara Rao, Asst. Engineer (Retd.), formerly worked in the Office of Irrigation Drainage Sub-Division No.1, Chirala, Prakasam District, as "on Duty" under Rule 54-B (3) of Fundamental Rules, as he was acquitted by the Orders of Hon'ble Special Judge for SPE & ACB Cases, Nellore dated 15.11.2011 in C.C.No.28/2004. Accordingly, Government hereby order that the suspension period from 23.12.2003 F.N. to 09.06.2006 F.N. of Sri S. Nageswara Rao, Asst. Engineer (Retd.), formerly worked in the Office of Irrigation Drainage Sub-Division No.1, Chirala, Prakasam District, be regularized as "on Duty" under Rule 54-B (3) of Fundamental Rules, as he was acquitted by the Orders of Hon'ble Special Judge for SPE & ACB Cases, Nellore dated 15.11.2011 in C.C.No.28/2004.

11. The Engineer-in-Chief (AW), Hyderabad shall take further necessary action in the matter accordingly and acknowledge the receipt of the order.

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12. This order issues with the concurrence of Finance (FR.II) Department vide their U.O.No.8304/248/FR.II/2013, dated 30.03.2013.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAIENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri S. Nageswara Rao, Assistant Engineer (Retd.), formerly worked in the Office of the Irrigation Drainage Sub-Division No.1, Chirala, Prakasam District thro' the Engineer-in-Chief (AW), I & CAD Dept., Hyderabad.

The Engineer-in-Chief (A.W.), Irrigation & C.A.D. Department, Hyderabad.

Copy to:

The Accountant General (A&E), Andhra Pradesh, Hyderabad.

The Director General, Anti-Corruption Bureau, Hyderabad.

The Finance (FR.II) Department.

The Secretary to Vigilance Commission, A.P. Vigilance Commission, Hyderabad.

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER